

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

FINLEY H. MERRY, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )      Case No. CV413-137  
                        )  
CREIGHTON W. SOSSOMON,       )  
Individually, CREIGHTON W.     )  
SOSSOMON and JANET ALLISON    )  
SOSSOMON, a Partnership, and   )  
JANET ALLISON SOSSOMON,        )  
as Partner of CREIGHTON W.     )  
SOSSOMON,                 )  
                        )  
Defendants.             )

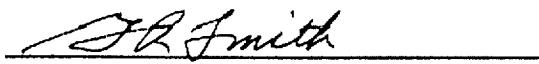
**REPORT AND RECOMMENDATION**

In this legal malpractice action the parties asked the Court to stay this case for four months pending the Chapter 7 bankruptcy of defendant Creighton W. Sossomon. Doc. 6 at 2-3. The Court granted the motion but directed the parties “to report to the Court in 120 days as to the status of the bankruptcy proceedings.” Doc. 7 at 1 (entered Sept. 20, 2013). They failed to comply with the January 18, 2014 deadline. In that it is plaintiff’s burden to advance his own case, the Court gave him

11 days to show why his case should not be dismissed on abandonment grounds. Doc. 8.

He has failed to comply. The district judge should therefore dismiss his case under L.R. 41(b). *See Link v. Wabash Railroad Co.*, 370 U.S. 626, 630–31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, No. CV491-277 (S.D. Ga. June 10, 1992).

**SO REPORTED AND RECOMMENDED** this 24th day of February, 2014.

  
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UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA